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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,339	09/30/2003	Ryohei Kageyama	02-102	4150
23400 75	590 06/28/2005		EXAM	INER
POSZ LAW GROUP, PLC 12040 SOUTH LAKES DRIVE		COMAS, YAHVEH		
SUITE 101			ART UNIT	PAPER NUMBER
RESTON, VA	20191		2834	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

	Application No.	Applicant(s)				
Office Action Commons	10/673,339	KAGEYAMA ET AL.				
Office Action Summary	Examiner	Art Unit				
	Yahveh Comas	2834				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	i6(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	ely filed s will be considered timely. the mailing date of this communication. O (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on						
2a) ☐ This action is FINAL . 2b) ☐ This						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 45	3 O.G. 213.				
Disposition of Claims		·				
4)⊠ Claim(s) <u>1-19</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
	6)☐ Claim(s) is/are rejected.					
7) Claim(s) is/are objected to.						
8)⊠ Claim(s) <u>1-19</u> are subject to restriction and/or e	election requirement.					
Application Papers						
9) The specification is objected to by the Examine	r.					
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correcti		` ,				
11) The oath or declaration is objected to by the Ex	aminer. Note the attached Office	Action of form P1O-152.				
Priority under 35 U.S.C. § 119		•				
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage						
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.						
See the attached detailed Office action for a list of	or the certified copies not receive	a.				
Attachment(s)						
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) ☐ Interview Summary Paper No(s)/Mail Da					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date		atent Application (PTO-152)				

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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-13 and 18-19, drawn to commutator, classified in class 310, subclass 233.
- II. Claims 14-17, drawn to method for manufacturing a commutator, classified in class 29, subclass 597.

The inventions are distinct, each from the other because of the following reasons:

Inventions Group I and Group II and Group III are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case a materially different process such as gluing or molding the high and low portions to the ridges can be use for making the commutator.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yahveh Comas whose telephone number is (571) 272-2020. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YC

DARREN SCHUBERG SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2800